

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

DARRYL WALKER,)	
)	
Petitioner,)	
)	
v.)	CV 108-020
)	
THALRONE WILLIAMS, Warden, et al.,)	
)	
Respondents.)	


ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed.¹ Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, the motion to dismiss the 28 U.S.C. § 2254 petition as untimely is **DENIED**, the Motion to Dismiss Attorney General Baker is **GRANTED**, and Attorney General Baker is **DISMISSED** as an improper Respondent. Respondent Williams shall file

¹Petitioner filed a motion for an extension of time to file objections to the Report and Recommendation. (Doc. no. 22). Petitioner's motion was granted (doc. no. 23), but Petitioner did not file any objections. As his motion for an extension of time raised some issues he had with the Magistrate Judge's Report and Recommendation, the Court has considered those issues raised in his motion for an extension of time as his objections to the Report and Recommendation.

his brief on the merits of the petition within thirty (30) days of the date of this Order.²

SO ORDERED this 12th day of November, 2008, in Augusta, Georgia.



J. RANDAL HALL
UNITED STATES DISTRICT JUDGE

²Respondent's brief should conform to the instructions set forth in the March 10, 2008, Order. (See doc. no. 3).